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Universal Periodic Review

Report of the Working Group on the Universal Periodic Review*

Vanuatu

Addendum

**Views on conclusions and/or recommendations, voluntary commitments
and replies presented by the State under review**

* The present document was not edited before being sent to the United Nations translation services.

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Vanuatu Government's response to the 109 recommendations

1. Vanuatu welcomes the recommendations made at the occasion of its second cycle of the Universal Periodic Review (2nd UPR) in Geneva, on 30th January 2014. Following the review, consultations with appropriate stakeholders and careful evaluation of the 109 recommendations were made including a four year implementation plan to address the accepted recommendations.

2. Vanuatu is pleased to report that out of these Recommendations, it has accepted 95 and noted 14. Vanuatu provides the responses to each recommendation classed into thematic areas.

<i>Recommendation</i>	<i>State position</i>	<i>Comments</i>
Thematic area 1: Ratification of international human rights treaty		
The International Covenant on Economic, Social and Cultural Rights (ICESCR)		
99.3, 99.4, 99.7, 99.8, 99.9, 99.10.	Accepted	Vanuatu supports the importance of ratification to these conventions and will deposit an instrument of signature as it progressively realizes the obligations that come with ratification.
99.11.	Accepted	Vanuatu supports this recommendation as it is crucial to Vanuatu to seek support that the UN Human Rights mechanisms can assist in the ratification of important Human Rights.
International Covenant on the Elimination of All Forms of Racial Discrimination (ICERD)		
99.3, 99.6.	Accepted	Vanuatu supports this recommendation and will deposit an instrument of Signature. This aligns to the constitution of Vanuatu – Chapter 2 (5)(1) -(1) which states “The Republic of Vanuatu recognizes, that, subject to any restrictions imposed by law on non-citizens, all persons are entitled to the following fundamental rights and freedoms of the individual without discrimination on the grounds of race, place of origin, religious or traditional beliefs, political opinions, language or sex but subject to respect for the rights and freedoms of others and to the legitimate public interest in defence, safety, public order, welfare and health”.
Thematic area 2: Implementation and reporting of human rights treaty		
Convention on the Elimination of All Forms of Discrimination against Women (CEDAW)		

99.15, 99.34.

Accepted

Vanuatu supports these recommendations CEDAW in 1995 and submitted its initial, first and second report in 2006.

The 4th and 5th state report have now been finalized.

Progress have been made gradually in this area.

Legislative reform

- The enactment of the Family Protection Act in 2008;
- Review of penal code in 2006;
- Decentralization act.

Policy

- Gender is a bench mark in the Vanuatu priority action agenda;
- The national gender policy is in progress to be finalize.

Program

- NGO are delivering program and activities align to the CEDAW convention, however the Vanuatu government through the Department of Women s' Affairs needs to take a more proactive role in facilitating the coordination and revitalizing the national CEDAW committee which will facilitate the implementation on ground through the development of a national broad strategy which will facilitate domestication on CEDAW.

International Criminal Court/Rome statute

99.16.

Accepted

Vanuatu government ratified the Rome Statute and will implement the provisions of this convention when it deems appropriate as the serious crimes covered in this Statute is not pertinent to the country as yet.

The role of Parliament in UPR follow-up and implementation process

99.29.	Accepted	Members of Parliament are key decision makers in the country therefore it is of importance for them to be informed and engage in the UPR process follow-up to promote a sense of ownership in promoting and protecting human rights.
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International Covenant on Civil and Political Rights (ICCPR)

99.30.	Accepted	Vanuatu has ratified this convention and has the obligation to submit its initial report.
99.31.	Accepted	Vanuatu supports the visit of the independent expert on the issue of foreign debt but is unable to comment on the status of this pending request at this time.

United Nations Convention against Torture (CAT)

99.59.	Accepted	Vanuatu ratified the United Nations Convention against torture and has a state obligation to implement reforms regarding prosecution for acts of torture, attempt to commit torture, or complicity or participation in torture.
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United Nations Convention against Corruption (UNCAC)

99.70, 99.71.	Accepted	Vanuatu ratified and reported on the United Nations Convention against Corruption thus it is obliged to effectively combat corruption and to further improve integrity, transparency and accountability, as a pathway for enhancing development.
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Thematic area 3: National human rights mechanism

Human rights institution

99.17, 99.18, 99.19, 99.20, 99.109.	Accepted	Vanuatu had made commitment to set up this institution, a feasibility study conducted by OHCHR, PIFS and the Asia-Pacific Forum for National Human Rights Institutions in 2011 provided recommendation for Vanuatu to set up a NHRI according to Paris principles. On the 9th of June 2014, newly elected Prime Minister of Vanuatu, Honourable Joe Natuman launched the National Human Rights Committee.
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Ombudsman

99.21.	Accepted	Vanuatu fully supports the role and investigation powers of the Ombudsman. The Ministry of Justice through the Vanuatu Law Commission and the Ombudsman are currently discussing strategy to implement this recommendation.
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Thematic area 4: Human rights prevention programs (Education and awareness)

General human rights awareness

99.23, 99.24, 99.26, 99.27, 99.28, 99.62, 99.108.	Accepted	Vanuatu fully supports the continuous need for general human rights awareness. These recommendations have been progressively implemented in the country by NGOs and various government departments; however the government need to take the leading role in coordination and effective implementation to ensure its sustainability into its corporate plans.
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Human rights curriculum

99.25.	Accepted	Vanuatu fully supports this recommendation to include Human rights education into the school curricula is currently in its initial development stages, the curriculum will be title <i>civic education</i> .
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Thematic area 5: Gender equality

Strengthening women's machinery

99.22.	Accepted	Vanuatu supports this recommendation and would like to seek technical assistance to further enhance and implement programs by the Department of Women's Affairs and will strengthen its capacity in monitoring and evaluation.
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Elimination of discriminatory practices towards women, children and persons with disability

99.32, 99.33, 99.35, 99.36, 99.107.	Accepted	Vanuatu fully supports these recommendations and they are being progressively implemented.
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Addressing gender base violence and the Family Protection Act implementation

99.38,99.39, 99.40, 99.41, 99.42, 99.43,
99.44, 99.45, 99.46, 99.47, 99.48, 99.49,
99.50, 99.51, 99.52, 99.61.

Accepted

Vanuatu fully supports this recommendations and would like to report that since the enactment of the Family Protection Act in 2008 and its commencement in 2009, activities done were:

- Establishment of national family protection taskforce and two provincial family protection taskforce, however these mechanism are not functioning effectively since there is no support from the government.
- Protection orders are currently issued by courts, the government needs to establish authorized persons and registered councilors.
- Vanuatu women center is the only NGO currently undertaking continuous awareness on this act, other NGOs as the Vanuatu Christian Council (VCC) and other CSO/CBO undertake awareness subject to funding.
- In 2012, the government through Department of Women's Affairs and the child desk undertook awareness on Family Protection Act.

Thematic area 6: Strengthening of the judicial system and law reform

99.56, 99.57, 99.58, 99.60, 99.63, 99.64,
99.65, 99.66, 99.67, 99.68, 99.69.

Accepted

Vanuatu fully supports these recommendations and is working progressively towards implementing them.

Thematic area 7: Children

99.53, 99.54, 99.55, 99.72, 99.73.

Accepted

Vanuatu fully supports these recommendations and is working progressively towards implementing them.

Thematic are 8: Right to information

99.74, 99.75.	Accepted	Vanuatu supports this recommendation as an integral aspect to the communication of information to all. In May this year, the Prime Minister of Vanuatu launched its "Right to Information Policy" and is currently implementing it. Vanuatu is currently working to finalize the "Right to information" bill to Parliament.
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Thematic area 9: Water and sanitation

99.76, 99.77, 99.78.	Accepted	Vanuatu realizes the rights to good drinking water and sanitation and is currently progressing these recommendations.
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Thematic area 10: Health

99.79, 99.80, 99.81, 99.82, 99.83, 99.84, 99.105, 99.106.	Accepted	Vanuatu supports the need for access to health services and education system for all and is continuing with its programs, awareness to address these recommendations.
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Thematic area 11: Education

99.85, 99.87, 99.88.	Accepted	Vanuatu supports these recommendations and is currently working towards achieving them.
99.96, 99.97, 99.98.	Accepted	Vanuatu supports this recommendation and the government is allocating more resources to the remote schools thus is working progressively towards to fulfilling these recommendations.

Thematic area 12: Persons with disability

99.99, 99.100, 99.101, 99.102, 99.103, 99.104.	Accepted	Vanuatu supports the implementation of the disability convention and is progressively realizing the obligations in its laws, policies and building codes for people with disabilities.
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Thematic area 13: Death penalty

99.37.	Accepted	Vanuatu fully supports this recommendation to not re-introduce the death penalty, this aligns to right to life in the Vanuatu constitution 5 (1) (k).
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Not supported "Noted"

Thematic area 1: Ratification of international human rights treaty

99.1, 99.2, 99.5, 99.12, 99.13, 99.14.

Although Vanuatu has signed Rome Statute, the crime of genocide and aggression is not a serious crime with regards to Human Rights in Vanuatu.

Vanuatu supports the spirit and importance of these conventions and protocols but is not ready to accede as yet.

Although Vanuatu supports the spirit of this recommendation, it is still not ready to commit itself fully to these human rights optional protocol conventions as lack of resources and capacity continues to be a problem to fully implement and report on the conventions that have been already ratified.

Thematic Area 11: Education

99.86, 99.89, 99.90, 99.91, 99.92, 99.93,
99.94, 99.95.

We fully support the spirit of these recommendations however the term 'compulsory' is not in the current education act. Vanuatu will try its best to ensure that a legislation is in place to address this issue through national consultation and awareness as a right.

The newly elected *Prime Minister, Honourable Joe Natuman* indicated his views on education in Vanuatu recently in the Daily Post of 11 June, 2014 stating : "I wish to emphasize that this Government places high priority on education for all the children of Vanuatu today and tomorrow".

This might just be promising era for Vanuatu to be able to address 'compulsory' education
